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BEFORE THE ARIZONA CORPORATION

Arizona Corporation Commission

DOCKETED

MAR 19 2014

COMMISSIONERS

BOB STUMP - Chairman

GARY PIERCE

BRENDA BURNS

BOB BURNS

SUSAN BITTER SMITH

DOCKETED BY

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IN THE MATTER OF THE ARIZONA
CORPORATION COMMISSION, ON ITS
OWN MOTION, TO ESTABLISH AN
ARRAY OF PUBLIC RAIL/HIGHWAY
GRADE CROSSINGS THROUGHOUT THE
STATE OF ARIZONA.

DOCKET NO. RR-00000E-13-0195

DECISION NO. 74393ORDER

Open Meeting
March 11 and 12, 2014
Phoenix, Arizona

BY THE COMMISSION:

FINDINGS OF FACT

1. Arizona Revised Statutes (A.R.S.) Sections 40-337.02 and 40-337.03 relate to the allocation of funds for the installation of automatic warning signals and devices at public railroad grade crossings and the determination of locations where the installation of automatic warning signals should occur on that date.

2. A.R.S. Section 40-337.03 enables the Arizona Corporation Commission (Commission), which has the exclusive power to determine and prescribe the manner and terms of installation of warnings at each railway crossing pursuant to A.R.S. Section 40-337, to establish an array of public railroad grade crossings to plan for the orderly installation of automatic warning signals and devices.

3. Although numerous hazard index formulas have been proposed over many years to assess the relative hazard of a grade crossing based upon some combination of its characteristics, no one such formula, or combination thereof, has universal acceptance. The development of the array and the determination of the warnings to be installed at crossings also involve the exercise of judgment.

1 4. The array establishes crossings where the installation of automatic warning signals and
2 devices should be considered in accordance with the above referenced legislation, depending upon
3 the availability of monies, material, labor and other factors involved in such installation. The
4 inclusion of a crossing on the array, however, does not mean that existing warning signs or signals, if
5 any, are inadequate to enable an ordinary, prudent motorist to safely pass over the crossing.
6 Conversely, a public crossing not appearing on the array does not exclude it from being improved
7 under this program if it becomes an increased hazard to safety prior to the issuance of the next annual
8 array.

9 5. The array first became effective on July 1, 1977. It is in the best interest of public
10 safety, considering the current state and federal appropriations which have been allocated for the
11 acquisition and installation of automatic warning signals and devices at public grade crossings in
12 Arizona, for the array to be supplemented as provided herein.

13 6. In order to promote the timely installation of warning signals and crossing upgrades,
14 Staff, with representatives of Arizona Department of Transportation and the Federal Highway
15 Administration, have determined that an additional four (4) crossings should be placed on the 2013
16 array for upgrading.

17 7. Staff has recommended that the array approved by the Commission in
18 Decision No. 73610 dated December 12, 2012, be reaffirmed and that the crossings listed in
19 Attachment 1 be added to the array.

20 CONCLUSIONS OF LAW

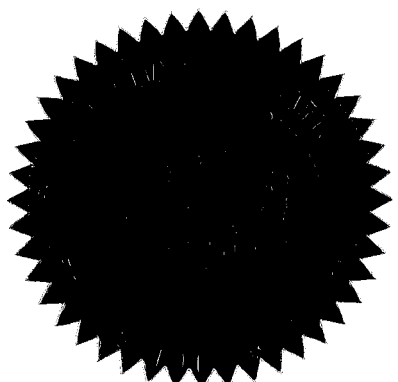
21 1. Some Public railway/highway grade crossings in Arizona are eligible to receive
22 Federal funds for the installation of automatic warning signals and devices under the 23 U.S.C. § 130.
23 These monies were appropriated in recognition of the public responsibility to improve safety at
24 railway/highway crossings, and may be used to pay one hundred (100) percent of the total installation
25 cost of each project.

26 2. Pursuant to the Commission's exclusive power over railway/highway crossings, the
27 array shall establish the public grade crossings in Arizona at which changes in signalization may be
28 made under A.R.S. Sections 40-337, *et seq.*

ORDER

THEREFORE, IT IS ORDERED that the array established in Decision No. 73610, as well as the crossings listed on Attachment 1, be and hereby is approved.

IT IS FURTHER ORDERED that this Decision shall become effective immediately.

BY THE ORDER OF THE ARIZONA CORPORATION COMMISSION
CHAIRMAN
COMMISSIONER
COMMISSIONER
COMMISSIONER
COMMISSIONER

IN WITNESS WHEREOF, I, JODI JERICH, Executive Director of the Arizona Corporation Commission, have hereunto, set my hand and caused the official seal of this Commission to be affixed at the Capitol, in the City of Phoenix, this 19th day of March, 2014.


JODI JERICH
EXECUTIVE DIRECTOR

DISSENT: _____

DISSENT: _____

REM:BHL:rbo\CHH

1 SERVICE LIST FOR: 2013 Crossing Array
2 DOCKET NO. RR-00000E-13-0195

3 Mr. Jason Pike
4 Railroad Engineering Coordinator
5 ADOT-Utilities & Railroad Section
6 205 South 17th Avenue, Mail Drop 618E
7 Phoenix, AZ 85007-3212

8 Timothy Good
9 Arizona Eastern Railway
10 5903 S. Calle De Loma
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12 Claypool, AZ 85532

13 Bobby R. Blake
14 General Superintendent
15 Copper Basin Railway Inc.
16 P.O. Drawer I
17 Hayden, AZ 85235
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ATTACHMENT 1

2013 Array for Railroad-Highway Safety Projects in Arizona

Proposed by Arizona DOT - January 28, 2014

<u>DOT Number</u>	<u>RR</u>	<u>MP</u>	<u>Location</u>	<u>Scope of Work</u>	<u>Estimated Costs (ADOT)</u>	<u>Exposure Index</u>
Protective Devices						
903 809 J	AZER		Marion Rd/US80	Signals Update	\$ 150,000	25.61
874 879 B	CBRY		SR177/Kelvin	Signals Update	\$ 150,000	7.35
742 247 D	AZER		Palmer Ln (Thatcher)	Signals Update	\$ 150,000	78.27
				Subtotal	\$ 450,000	
Hazard Elimination						
903 809 J	AZER		Marion Rd/US80	Road approach work and Adjacent Crossing Closure	\$ 300,000	3483.80
741 886 G	AZER		SR76/Duncan	Conc Xing & Sidewalk	\$ 250,000	1008.25
874 879 B	CBRY		SR177/Kelvin	Conc Xing & Road Approach	\$ 350,000	1040.85
742 247 D	AZER		Palmer Ln (Thatcher)	Conc Xing & Sidewalk	\$ 250,000	722.76
				Subtotal	\$1,150,000	
				Total	\$1,600,000	